

Exhibit D

101690

DEPARTMENT OF THE AIR FORCE OPENING STATEMENT

BEFORE THE

HOUSE ARMED SERVICES SUBCOMMITTEE ON MILITARY PERSONNEL

FEBRUARY 28, 2023

UPDATE ON COVID-19 VACCINATION IMPLEMENTATION, RESCISSION,
AND REQUIREMENTS

STATEMENT OF:

THE HONORABLE GINA ORTIZ JONES, UNDER SECRETARY OF THE AIR FORCE

NOT FOR PUBLICATION UNTIL RELEASED
BY THE COMMITTEE ON ARMED SERVICES
UNITED STATES HOUSE OF REPRESENTATIVES

Chairman Banks, Ranking Member Kim, distinguished members of the Armed Services Committee and this subcommittee, thank you for the opportunity to appear before you today. It is my pleasure to be able to discuss the Department of the Air Force's (DAF's) highly effective efforts throughout the COVID-19 pandemic. The steps used to protect our total force—both military and civilian—enabled the DAF to continue protecting the Nation and defend its interests around the globe at a time of unprecedented challenge. I will also address the efforts underway to implement the rescission of the mandate while continuing to take care of our personnel and execute global missions on a daily basis.

I am grateful to be sitting here today, speaking without a mask on, with relatively high confidence that I will remain healthy, and that if I fall ill, the risk of death from the effects of COVID-19 are far less likely than early in the pandemic. Additionally, I am grateful that we have efficacious treatments should they be needed. This was not the case 26 months ago. December 2020, when the Food and Drug Administration (FDA) first granted the Emergency Use Authorization for the Pfizer COVID-19 vaccine, was the deadliest month for COVID-19-related deaths in the United States. That month, our Nation experienced more than 65,000 confirmed and probable COVID-19-related deaths, raising our total count to over 334,000 deaths since the start of the pandemic. It was also that month that the Centers for Disease Control and Prevention initiated new travel restrictions to and from the United Kingdom, where we have a significant force presence, to contain a new variant that was 70% more transmissible.

When Secretary of Defense Austin mandated immunization for service members on August 24, 2021, our national death toll had risen to over 634,000. Those circumstances drove Secretary of the Air Force Frank Kendall's decision to implement the earliest vaccination deadline amongst the Military Departments. The decision to immunize was the right decision at

the time, and in fact, the only choice given the criticality of our mission. I will never forget those dire summer months when I would receive a notification, sometimes as many as two a day, about a DAF teammate who died due to COVID-related complications—only to read they were unvaccinated.

Vaccination was essential in allowing us to deploy, rotate our forces to countries that mandated vaccination, and most importantly, keep the men, women, and dependents of the DAF healthy. As they have for decades, the vast majority of our Airmen and Guardians complied with the lawful order to vaccinate. Of the over 500,000 total force Airmen and Guardians, approximately 98% [99% of Regular Air Force and Space Force or 326,000 personnel; 94.3% of Air National Guard or 105,000 personnel; and 95.9% of Air Force Reserve or 70,000 personnel] followed the Secretary of Defense's lawful order—as a result, our force was able to focus on the mission.

While vaccination has received the overwhelming majority of public attention, I want to reinforce that the Department did not rely solely on immunization to protect the force. The DAF, in concert with the Office of the Secretary of Defense (OSD) and other Services, took a holistic approach to combat COVID-19. Through a series of prophylactic measures such as masking, physical distancing, telework, remote work, travel, and deployment restrictions and control, we maintained readiness while much of industry and the commercial sector ground to a stand-still. The DAF continued its flying mission, operating from austere locations conducting world-wide operations, executing strike and mobility operations in support of the Joint Force, maintaining our nuclear deterrent, and ensuring we continued to induct and train our force. Our collective safety measures kept our depots running, facilities maintained, bases operating, and missions executed.

The Space Force is tasked with highly classified, no-fail missions which largely preclude telework or remote work. During the pandemic, our Space Force fully supported combatant command missions 24 hours a day, seven days a week, using vaccination, preventive measures, and solid operational planning, including standby crews ready to support exposure, quarantine, and isolation requirements. Commanders leveraged the full suite of capabilities to take care of their people and effectively execute the mission.

The DAF simultaneously supported national efforts to augment civilian emergency response, mass testing and immunization, and healthcare infrastructure, notably hospitals operating beyond capacity. The Air Force Medical Service deployed 2,724 Total Force Airmen (2,412 Active Duty and 312 Reserve Component) in support of COVID-19 response operations during the pandemic. We deployed contingency Medical Strike Teams across the country to provide immediate and acute support. We deployed 10 vaccination teams to 10 cities, in 9 states, to deliver 1.6 million vaccinations. And, we deployed 612 medical personnel to support 33 locations in 18 states to provide in-patient, critical care at hospitals experiencing significant personnel shortages. This lifesaving care provided to our communities was only possible because of the vaccination rates within the Force and the safety measures we employed.

Religious liberty is a foundation of our society and our Constitution—it is among those rights that Airmen and Guardians have sworn their lives to defend. In accordance with long-held policy, and based upon law, we considered all requests for medical, administrative, and religious accommodations seriously and thoroughly. Our ability to accommodate our members' religious convictions had to be weighed against the impact of that accommodation on military readiness. While each request was weighed on its merits, the collective impact of the accommodations was also considered. Readiness and deployability are the hallmark of the force and must remain so.

On January 10, 2023, Secretary Austin rescinded the COVID-19 vaccination requirement for military personnel, at the direction of Congress. Accordingly, on January 23, 2023, Secretary Kendall formally rescinded his order to vaccinate as well as the force implementation guidance associated with the mandate. We are actively engaged with OSD and the other Services to expeditiously implement Secretary Austin's guidance. No individual currently serving in the DAF will be separated solely on the basis of their refusal to receive the COVID-19 vaccination if they sought an accommodation on religious, administrative, or medical grounds. We are finalizing how to expeditiously remove adverse actions solely associated with refusal to vaccinate following any denial of such requests. We have also ceased ongoing reviews of current service members' religious, administrative, or medical accommodation requests for exemption from the COVID-19 vaccine, to include accommodation denial appeals. Additionally, we have taken action to ensure that there are no bars to enlistment or commissioning, to include those whose commissions were held in abeyance. In concert with OSD, we are developing the policy, processes, and procedures for those who were discharged after submitting an accommodation request and wish to re-enter the force.

Notwithstanding these actions, there may be situations in the future when vaccination status will be a consideration. For example, this may occur when a host-nation has a vaccination requirement for entrance that may impact deployment or even permanent relocation of members. Additionally, vaccination may need to be a consideration for members serving in unique positions, such as at austere locations with limited medical care. Barring unanticipated developments with COVID-19, we expect such cases to be rare and if considered, they will receive appropriate review at the general officer level. The DAF will continue to promote COVID-19 vaccination and available boosters to our service members, employees and family

members in accordance with FDA and governmental recommendations, while being clear there is not a COVID-19 vaccination mandate. We will take actions consistent with the law and adapt our policies to continue to protect the force as we face evolving epidemiology in the future.

Let me close by expressing my profound respect for the men and women of the DAF; for their tenacity, resolve, hard work, resilience, and indomitable spirit in the face of this pandemic. Thank you again for the opportunity to appear before this distinguished committee. I look forward to addressing your questions.